

10/5/99

FACT SHEET

FINAL TOXICS RULES FOR PUBLICLY OWNED TREATMENT WORKS FACILITIES

TODAY'S ACTION

- ! The Environmental Protection Agency (EPA) is issuing final rules to reduce hazardous air pollutants (HAP) emissions from wastewater treatment units at publicly owned treatment works (POTW).
- ! The HAP emitted from POTW vary from facility to facility but may include xylenes, methylene chloride, toluene, ethylbenzene, chloroform, tetrachloroethylene, benzene, and naphthalene. HAP, also known as air toxics, are pollutants which are known or suspected to cause cancer or other serious health effects such as birth defects or reproductive effects.
- ! The EPA developed today's rules in close partnership with representatives from the affected industry.

BACKGROUND

- ! Under the CAA, EPA is required to regulate sources of 188 listed toxic air pollutants. (Note that this list originally referenced 189 pollutants, but EPA has subsequently removed the chemical caprolactum from the list.) On July 16, 1992, EPA published a list of industry groups (known as source categories) that emit one or more of these hazardous air pollutants. For listed categories of "major" sources (those that have the potential to emit 10 tons/year or more of a listed pollutant or 25 tons/year or more of a combination of pollutants), the CAA requires EPA to develop standards that are based on stringent air pollution controls, known as maximum achievable control technology (MACT). Publicly owned treatment works is a source category listed by EPA for regulation.
- ! Emissions of HAP from POTW facilities occur during the treatment of wastewater received from residential and commercial sources and industrial sources.
- ! In developing these standards, the EPA established two source "subcategories": (1) the industrial POTW treatment plants subcategory, which comprises the wastewater treatment portion of POTW used by industry to treat their specific industrial waste streams to meet other regulations under the Clean Air Act (e.g., benzene waste operations NESHAP, hazardous organic NESHAP), and (2) the non-industrial POTW treatment plants subcategory, which comprises the wastewater treatment portion of all other POTW that are major sources.

WHAT ARE THE HEALTH AND ENVIRONMENTAL BENEFITS OF TODAY'S ACTION?

- ! The primary HAP emitted from sources in this industry vary among individual facilities. Typical HAP that may be emitted from a facility include xylenes, methylene chloride, toluene, ethylbenzene, chloroform, tetrachloroethylene, benzene, and naphthalene.
- ! These rules will reduce HAP emissions from new or reconstructed POTW which are major sources of air emissions. New or reconstructed non-industrial POTW will need to either: 1) include air pollution controls on certain wastewater treatment units, or 2) demonstrate that pollution prevention has produced an equivalent emission. New or reconstructed industrial POTW must comply with the non-industrial standards, or with the treatment standards for all appropriate industrial NESHAP, whichever is more stringent. The EPA is not requiring additional controls on existing POTW.

WHY IS EPA ISSUING NATIONAL EMISSION STANDARDS FOR PUBLICLY OWNED TREATMENT WORKS FACILITIES?

- ! Section 112(e)(5) of the CAA specifically require EPA to promulgate standards applicable to POTW. Some existing State and local regulations control some of the emission points associated with POTW. Today's national air toxics standards will comply with the requirements of the CAA, will supplement and strengthen the existing levels of control on POTW, and will expand controls nationwide.

WHAT DO EPA'S RULES REQUIRE?

- ! The EPA is requiring new or reconstructed non-industrial POTW to (1) include covers and controls on the primary treatment processes, except covers only on the primary clarifiers; or (2) demonstrate an overall fraction emitted of 0.014 or less from those primary treatment processes.
- ! A very small number of POTW fall under the industrial subcategory. For existing industrial POTW treatment plants, the EPA is not requiring additional controls. These facilities, which accept and treat regulated waste streams, should already be in compliance with treatment and control requirements specified by the appropriate industrial NESHAP. However, the EPA is clarifying that these industrial POTW are legally responsible under the Clean Air Act Amendments of 1990 (CAA).
- ! The EPA is requiring new or reconstructed industrial POTW meet the more stringent of either the non-industrial standard or the appropriate industrial NESHAP.

WHAT ARE THE MONITORING REQUIREMENTS IN TODAY'S ACTION?

- ! To comply with the cover and control option of today's rule, EPA is requiring continuous monitoring of the operation of the control devices using automated instrumentation to

measure and record operating parameters appropriate for the control device technology, that indicate whether the control device is in compliance with the final rules.

- ! To comply with the performance standard option of today's rule, EPA is requiring the POTW develop a monitoring program which will demonstrate continuous compliance.

WHO WILL BE AFFECTED BY TODAY'S ACTION?

- ! Based on available information, the EPA estimates 20 to 30 non-industrial POTW may be major facilities and would need to control air emissions if they elected to reconstruct their existing facilities, or build a new facility. These POTW include the very largest facilities and are located in cities such as Los Angeles, Chicago, and New York.
- ! The EPA estimates that fewer than five POTW currently meet the definition of industrial POTW. This number may increase only slightly as more industrial NESHAP are promulgated. These facilities will not incur new costs due to the POTW NESHAP.

HOW MUCH WILL TODAY'S ACTION COST?

- ! Current information shows no new or reconstructed major POTW for the next five years. Therefore, the EPA does not expect any costs from today's action.

FOR FURTHER INFORMATION

- ! Interested parties can download the rules from EPA's web site under Recent Actions at the following address: <http://www.epa.gov/ttn/oarpg>. For further information about the final rule, contact Mr. Robert Lucas of EPA's Office of Air Quality Planning and Standards at (919) 541-0884.
- ! EPA's Office of Air and Radiation's homepage on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's home page address is: (<http://www.epa.gov/oar/>).